

Message Text

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E.O. 11652: N/A

TAGS: PINT, GW

SUBJECT: WHAT HAPPENS AFTER OCTOBER 3: SOME POSSIBLE
SCENARIOS

REF: BONN 14529

BEGIN SUMMARY: ALL INDICATIONS POINT TO A VERY CLOSE
ELECTION ON OCTOBER 3. AT THE MOST, THE DIFFERENCE
BETWEEN THE MAJORITY AND THE MINORITY IS EXPECTED TO BE
20 SEATS (4 PERCENT OF THE TOTAL VOTE) AND THE ACTUAL
DIFFERENCE BETWEEN THE TWO ADVERSARIES IS LIKELY TO BE
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MUCH SMALLER. IF THE CDU/CSU COMES CLOSE TO A MAJORITY,

PRESSURE WILL MOUNT ON THE FDP TO BREAK WITH THE SPD.
IN SUCH A CASE, THE LAME-DUCK PERIOD BETWEEN ELECTION
DAY AND THE CONVENING OF THE 8TH BUNDESTAG WILL BE ONE
OF HECTIC POLITICAL ACTIVITY. THIS TELEGRAM EXPLORES
SOME POSSIBLE SCENARIOS AND SOME OF THEIR IMPLICATIONS.
END SUMMARY.

1. THE PROCEDURE FOR ELECTING THE FEDERAL CHANCELLOR IS
SET OUT IN ARTICLE 63 OF THE BASIC LAW (THE FRG
CONSTITUTION). AFTER THE BUNDESTAG ELECTION, THE
FEDERAL PRESIDENT CONSULTS WITH THE POLITICAL PARTIES
REPRESENTED IN THE BUNDESTAG TO DETERMINE WHICH
CANDIDATE HAS THE BEST PROSPECT OF FORMING A GOVERNMENT
WITH THE MAJORITY OF MORE THAN ONE HALF OF THE VOTES IN
THE BUNDESTAG. THE FEDERAL PRESIDENT THEN PROPOSES A
CANDIDATE AND THE BUNDESTAG BY SECRET BALLOT VOTES ON
THE CANDIDATE. IF A CANDIDATE RECEIVES AN ABSOLUTE
MAJORITY (I.E., ONE MORE THAN HALF OF THE MEMBERS OF
THE BUNDESTAG), THE FEDERAL PRESIDENT MUST APPOINT HIM
CHANCELLOR.

2. IF, HOWEVER, WITHIN FOURTEEN DAYS NO CANDIDATE
RECEIVES AN ABSOLUTE MAJORITY, THEN THE BUNDESTAG MAY
SELECT A CANDIDATE AND ELECT HIM WITH A SIMPLE MAJORITY
(THAT IS, THE CANDIDATE RECEIVING THE LARGEST NUMBER OF
VOTES). IF THE BUNDESTAG ELECTS A CANDIDATE WITH A
SIMPLE MAJORITY, THE FEDERAL PRESIDENT MUST, WITHIN
SEVEN DAYS, EITHER APPOINT THE CHANCELLOR-ELECT OR THE
FEDERAL PRESIDENT MAY DISSOLVE THE BUNDESTAG AND CALL
FOR A NEW ELECTIONS.

3. IN THE 8TH BUNDESTAG AN ABSOLUTE MAJORITY IS
EXPECTED TO BE 249 SEATS BECAUSE NO "UEBERHANGSMANDATE"
ARE FORESEEN. THE TOTAL NUMBER OF BUNDESTAG DEPUTIES
(EXCLUDING THE BERLIN DEPUTIES WHO CANNOT VOTE IN THE
CHANCELLOR ELECTION) IS THEREFORE EXPECTED TO BE 496.

4. IF, AS THE POLLS INDICATE, THE OCTOBER 3 ELECTION
IS VERY CLOSE, A NUMBER OF SCENARIOS ARE POSSIBLE.
ASIDE FROM AN OUTCOME WHICH PROVIDES THE OPPOSITION OR
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THE COALITION PARTIES A CLEAR MAJORITY SOME
POSSIBILITIES ARE:

-- SCENARIO A: THE SPD/FDP RECEIVES 248 SEATS
AND THE CDU/CSU RECEIVES 248 SEATS. IN SUCH
A CASE THE CANDIDATES FROM EITHER SIDE WOULD
BE UNABLE TO OBTAIN AN ABSOLUTE MAJORITY UNLESS
ONE OF ITS MEMBERS VOTES FOR A CANDIDATE FROM

THE OTHER SIDE. HOWEVER, AFTER THE FOURTEEN-
DAY PERIOD, A CANDIDATE COULD BE ELECTED
CHANCELLOR SHOULD ONE OF THE MEMBERS OF EITHER
SIDE ABSTAIN. IF, AS THIS SCENARIO ENVISIONS,
THE ELECTION WERE TO RESULT IN A DEAD HEAT THE
CDU/CSU WOULD CERTAINLY MOUNT A HIGH PRESSURE
CAMPAIGN, BOTH PUBLICLY AND PRIVATELY, TO
CONVINCE THE LIBERALS THAT THE CDU/CSU, REPRESENTING THE LARGEST SINGLE GROUP OF VOTERS,
SHOULD TAKE OVER THE REINS OF GOVERNMENT. IT
COULD BE EXTREMELY DIFFICULT FOR GENSCHER AND

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HIS PARTY TO WITHSTAND THIS PRESSURE IF THE
COALITION WERE UNABLE TO OBTAIN AN ABSOLUTE
MAJORITY. THE LIBERALS MIGHT THEN CHOOSE TO
/ FOLLOW THE COURSE THEY HAVE TAKEN IN THE
/ SAARLAND AND LOWER SAXONY -- TO "TOLERATE" A
CDU MINORITY GOVERNMENT.

/

-- SCENARIO B: THE SPD/FDP RECEIVES A TWO-SEAT
MAJORITY (I.E., SPD/FDP 249 AND CDU/CSU 247).
A ONE-SEAT MAJORITY WILL BE IMPOSSIBLE UNLESS
THERE WERE A "UEBERHANGSMANDAT." IN THE CASE
OF A TWO-SEAT MAJORITY FOR THE SOCIAL/LIBERAL

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COALITION THE HANNOVER EXPERIENCE MIGHT BE
REPEATED. THAT IS, IN THE COURSE OF THE
SECRET VOTE, ONE MEMBER OF THE COALITION
PARTIES ABSTAINS (OR ACCIDENTALLY INVALIDATES
HIS BALLOT) AND THUS PREVENTS CHANCELLOR SCHMIDT
FROM RECEIVING AN ABSOLUTE MAJORITY. IF THE
ACT WAS INTENTIONAL AND THE DEPUTY CONTINUES
TO ABSTAIN, AFTER THE 14-DAY PERIOD IT
WOULD BE POSSIBLE TO ELECT SCHMIDT WITH A
SIMPLE MAJORITY. HOWEVER, IN SUCH A CASE
THE FEDERAL PRESIDENT WOULD HAVE TO MAKE
THE DECISION WHETHER TO ACCEPT THE ELECTION
OF A CHANCELLOR WHO WOULD LEAD A COALITION
GOVERNMENT WHICH LACKED AN ABSOLUTE MAJORITY
IN THE BUNDESTAG AND BUNDESRAT, OR TO CALL FOR
NEW ELECTIONS IN THE HOPE THAT ONE SIDE OR THE
OTHER WOULD ACHIEVE A CLEAR MAJORITY.

-- SCENARIO C IS A TWO-SEAT MAJORITY FOR THE CDU/
CSU (I.E., CDU/CSU 249 AND SPD/FDP 247). SUCH
A SITUATION WOULD PRESENT LEADERSHIP PROBLEMS
FOR KOHL AND WOULD REQUIRE STRICT DISCIPLINE
ON THE PART OF THE UNION PARTIES. NEVERTHELESS
A RAZOR-THIN CDU/CSU MAJORITY WOULD BE SOMEWHAT
MORE STABLE THAN A RAZOR-THIN COALITION
MAJORITY. IN SUCH A SITUATION THE CDU/CSU
FRAKTION COULD ELECT KOHL WITH AN ABSOLUTE
MAJORITY IN THE FIRST BALLOT. THE UNION
PARTIES WOULD IN ANY EVENT MAINTAIN PRESSURE
ON THE FDP TO JOIN THEM IN A COALITION. EVEN
IF UNSUCCESSFUL IN THIS EFFORT, THERE ARE
SOME PRECEDENTS FOR THE CDU. ADENAUER
MANAGED TO GOVERN WITH A ONE-SEAT MAJORITY
FOR SOME YEARS AND STOLTENBERG IS DOING
SO IN SCHLESWIG-HOLSTEIN AT THE PRESENT TIME.

5. THE ELECTION TAKES PLACE ON OCTOBER 3 BUT UNDER THE OLD LAW WHICH HAS SINCE BEEN AMENDED THE 8TH BUNDESTAG CANNOT MEET BEFORE DECEMBER 14. IF THE ELECTION RESULTS ARE CLOSE, THIS PERIOD WILL INVOLVE CONSIDERABLE POLITICAL MANEUVERING. SHOULD THE RESULTS FORCE LIMITED OFFICIAL USE

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EITHER SIDE TO FORM A GOVERNMENT WITH A SLIM MAJORITY, IT WILL BE NECESSARY FOR THAT GOVERNMENT TO DEVOTE MOST OF ITS TIME, ENERGY AND ATTENTION TO PRESERVING THAT SLIM MAJORITY. A GOVERNMENT PREOCCUPIED WITH ITS SURVIVAL WILL BE LIMITED IN ITS FREEDOM OF ACTION IN FOREIGN AND DOMESTIC POLICY.

6. SHOULD THE SPD/FDP COME OUT OF THE ELECTION WITH A SMALL MAJORITY, THE LIFE SPAN OF THE COALITION WOULD PROBABLY BE LESS THAN THE FULL LEGISLATIVE PERIOD OF

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FOUR YEARS. IN THE 1969-72 PERIOD, THE COALITION PARTIES HAD A 12-SEAT MAJORITY WHICH IN THREE YEARS DWINDLED DOWN TO ZERO. IT IS TRUE THAT MANY OF THE MORE CONSERVATIVE MEMBERS OF THE FDP HAVE LONG SINCE LEFT THE LIBERAL PARTY AND JOINED THE CDU/CSU, AND THOSE THAT REMAINED IN THE FDP ARE MORE LIKELY TO REMAIN LOYAL TO THE SOCIAL-LIBERAL COALITION. ALL THAT SAID, MAINTAINING THE IRONCLAD DISCIPLINE NECESSARY TO HOLD SUCH A COALITION TOGETHER WOULD BE A FORMIDABLE TASK FOR BOTH COALITION PARTNERS.
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7. FEDERAL PRESIDENT WALTER SCHEEL, FORMER CHAIRMAN OF THE FDP, IS LIKELY TO PLAY A CRUCIAL ROLE IF THE SOCIAL-LIBERAL COALITION EMERGES WITH A SLIGHT MAJORITY. SCHEEL, THE MAN WHO LED THE FDP INTO COALITION WITH THE SPD IN 1969, HAS IN RECENT MONTHS INDICATED THAT THE ALLIANCE WAS NOT CAST IN CONCRETE AND AT SOME TIME IT MIGHT BE NECESSARY FOR THE FDP TO CHANGE PARTNERS. IT IS ALSO CLEAR THAT IF SCHEEL WISHES TO REMAIN FEDERAL PRESIDENT AFTER HIS FIRST TERM EXPIRES IN 1979, HE CAN ONLY DO SO, GIVEN THE COMPOSITION OF THE PRESIDENTIAL ELECTORAL COLLEGE (BUNDESVERSAMMLUNG), WITH SUPPORT OF THE UNION PARTIES. THIS COULD BE AN ADDED INCENTIVE FOR HIM TO USE HIS INFLUENCE TO HAVE THE LIBERALS LEAVE THEIR COALITION WITH THE SOCIAL DEMOCRATS AND EVENTUALLY GO INTO A COALITION WITH THE UNION PARTIES.

8. A ROUGH RULE OF THUMB IS THAT EACH PERCENT IN THE TOTAL NATIONAL VOTE EQUALS FIVE SEATS. THEREFORE, A TWO PERCENT SPREAD IN THE NATIONAL VOTE ON THE SECOND BALLOT BETWEEN THE COALITION AND THE OPPOSITION WOULD MEAN A 10-SEAT MAJORITY IN THE BUNDESTAG. EVEN WITH THE POLLS AS CLOSE AS THEY APPEAR TO BE NOW, A

TWO-FOUR PERCENT DIFFERENCE ON OCTOBER 3 IS POSSIBLE.
IF THE EXPERIENCE WITH THE DWINDLING MAJORITY IN THE
1969-72 PERIOD DID NOT DO IT, THE HANNOVER DEBACLE HAS
SINCE REMINDED SOCIAL-LIBERAL POLITICIANS OF THE PITFALLS
A GOVERNMENT FACES WHICH IS DEPENDENT UPON A SMALL
MAJORITY. NEVERTHELESS, THE SPD/FDP IS EXPECTED TO TRY
TO FORM A GOVERNMENT NO MATTER HOW SMALL THE MAJORITY.
HILLENBRAND

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